

Article - Local Government

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§9–402.

(a) This section applies only to:

- (1) commission counties; and
- (2) except as otherwise provided by local law, code counties.

(b) (1) Subject to subsection (c) of this section, if a vacancy occurs in an office of county commissioner, the Governor shall appoint an individual to fill the vacancy.

(2) (i) If a vacancy occurs during a session of the Senate of Maryland, the Governor shall appoint the individual with the advice and consent of the Senate.

(ii) In Allegany County, if there is no resident senator from Allegany County in the Senate of Maryland at the time of the appointment, the Governor shall appoint the individual with the advice and consent of the House of Delegates.

(iii) If a vacancy occurs during a recess of the Senate of Maryland, the Governor shall:

1. appoint an individual during the recess; and
2. submit to the Senate the nomination of the individual appointed, or another individual, not later than 30 days after the next meeting of the General Assembly begins.

(c) (1) Except as provided in paragraph (4) of this subsection and subject to paragraph (5) of this subsection, the central committee of the political party that is affiliated with the vacating county commissioner shall submit in writing to the Governor the name of the individual that the political party nominates to fill the vacancy.

(2) The individual nominated by the central committee shall be of the same political party as the vacating county commissioner.

(3) The Governor shall nominate or appoint the individual whose name is submitted under paragraph (1) of this subsection within 15 days after the submission.

(4) If there is no central committee in the county in which the vacancy occurs, the Governor shall appoint an individual to fill the vacancy who has all the qualifications required for the office of county commissioner in the particular county.

(5) In Garrett County, the nominee or appointee shall be a resident of the same commissioner district in which the former county commissioner resided.

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